

### **REMARKS**

The paper is in response to the Office Action mailed June 21, 2010 ("the Office Action"). Claim 28 has been amended.

#### **Examiner's Interview**

Applicant appreciates the courtesies extended during the telephonic Examiner Interview on August 12, 2010. The Final Office Action was discussed. No agreement was reached.

#### **Rejection Under 35 U.S.C. §112, ¶2**

The Office Action rejects claim 47-49, 71, and 55 under 35 U.S.C. §112, ¶2. This rejection is not explained and since it appears to be incorrect, Applicant respectfully traverses this rejection. The Office Action has not provided enough information for this rejection in order for the applicant to properly respond, and therefore, Applicant respectfully requests withdrawal of this rejection.

#### **Rejection Under 35 U.S.C. §112, ¶1**

The Office Action rejects claim 28-55 under 35 U.S.C. §112, ¶1. Particularly, the Office Action has rejected the terminology "removable blocking member" within the claim element "blocking flood flow in a blood vessel with a removable blocking member." In response, Applicants have amended the claim to cancel the subject matter "removable blocking member". In view thereof, Applicant respectfully submits that the claims are now allowable.

#### **Charge Authorization**

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefor and charge any additional fees that may be required to Deposit Account No. 23-3178.

### **CONCLUSION**

In view of the foregoing, Applicants submit that the pending claims are allowable. In the event that Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview or overcome by an Examiner's Amendment, Examiner is requested to contact the undersigned attorney.

Dated this 9<sup>th</sup> day of December, 2010.

Respectfully submitted,

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